

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BOJA KRAGULJ,

Plaintiff,

v.

20-CV-08390 (RA) (OTW)

MARTHA CORTES, D.D.S., STEVE GALELLA, D.D.S.,
ORTHOMATRIX CORP., INC.

ORDER

and

FACIAL BEAUTY INSTITUTE

Defendants.

ONA T. WANG, United States Magistrate Judge:

The Court is in receipt of a letter of February 17, 2022, from all counsel, in which they have resolved issues concerning a claim of spoliation and a request for further deposition of the plaintiff, raised in ECF 119 and ECF 120. That claim for spoliation has been waived by defendants.

In furtherance of the parties' resolution of the issue of plaintiff's further deposition, the Court orders that:

- The defendants may depose plaintiff remotely for an additional three hours at a date and time to be agreed upon by the parties.
- The subject matter of the deposition shall be limited to plaintiff's physical, mental and emotional condition, as well as any physical limitations, for the time period from January 25, 2018 to the present.
- Plaintiff will inform defendants as soon as she completes her medical/dental treatment related to the subject litigation; and Dr. Mark Stein may conduct a second examination of plaintiff at a mutually agreed time prior to trial.

This Order does not affect existing discovery deadlines.



Ona T. Wang

United States Magistrate Judge

Dated: February 22, 2022
New York, New York